

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

NORMAN E. LACEY,)
)
Plaintiff,)
)
v.) CASE NO. 3:06-cv-1145-MEF
)
CITY OF AUBURN,)
)
Defendant.)

ORDER

It has come to the Court's attention that the parties have failed to comply with the requirements of Section 3 of the Uniform Scheduling Order (Doc. # 7) entered by this Court on May 29, 2007, with respect to its requirement of conducting a face-to-face settlement conference at which counsel for all parties engage in good faith settlement negotiations. Pursuant to this Court's Order the face-to-face settlement conference was to have been completed on or before **January 4, 2008**. Section 3 also requires counsel for the plaintiff to file a "Notice Concerning Settlement Conference and Mediation" indicating: (1) that a face-to-face settlement conference was conducted; (2) whether settlement was reached at the mandatory face-to-face settlement conference; and (3) whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation **not more than five days after**

the face-to-face settlement conference. As of the date of this Order, the mandatory Notice Concerning Settlement Conference and Mediation has not been filed as required.

It is hereby ORDERED that:

- a. Plaintiff's counsel file the Notice Concerning Settlement Conference and Mediation by **January 28, 2008**.
- b. Plaintiff's counsel must show cause by **January 28, 2008**, why the Court should not sanction him pursuant to Federal Rule of Civil Procedure 16(f) for failure to comply with the Amended Scheduling Order in this case.

DONE this 23rd day of January, 2008.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE